

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CHARLENE CARTER,

Plaintiff,

v.

TRANSPORT WORKERS UNION
OF AMERICA, LOCAL 556, and
SOUTHWEST AIRLINES CO.,

Defendants.

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Civil Action No. 3:17-CV-2278-x

AMENDED MEMORANDUM OPINION AND ORDER

Before the Court are three motions, Plaintiff Charlene Carter's two motions for fees (Docs. 376, 475) and the Carter's motion to supplement the record on appeal (Doc. 487). The Court **DENIES WITHOUT PREJUDICE** the fee motions (Docs. 376, 475). In the event the court of appeals affirms the judgment, this Court will set a deadline to refile the fee motions.

And the Court **GRANTS** the motion to supplement the record on appeal. Carter moved to supplement the appellate record exhibits Carter admitted at the show cause hearing as well as "*ex parte* addendums to the sanctions orders (Docs. 468 and 469), Southwest Airlines Co.'s (Southwest) *ex parte* hearing exhibits (Docs. 479, 479-1 through 479-14), all *ex parte* testimony from the May 23 and July 20 contempt hearings, including the *ex parte* portions of hearing transcripts (Doc. 441) (Tr. 116:3-118:15); (Doc. 465) (Tr. 389:13-519:5), and all other contempt

proceedings documents provided to the Court *in camera*. Carter may refile the motions after the appeal, if appropriate.” Doc. 487 at 3.

The Court directs the clerk to prepare Plaintiff’s Exhibits 1-18 of the show cause hearing (attached to Doc. 487) as a supplemental record on appeal. The Court further orders the clerk to prepare (1) the *ex parte* addendums to the sanctions orders (Docs. 468 and 469), and (2) Southwest’s *ex parte* hearing exhibits (Docs. 479, 479-1 through 479-14) as a supplemental, *ex parte* record on appeal.

The Court directs the court reporter to file the transcript on the docket as an *ex parte* transcript, not giving access to entities other than the court system or Southwest.

For the sake of clarity, nothing in this order gives Carter or any other person or entity a right of access to *ex parte* materials.

IT IS SO ORDERED this 4th day of February, 2025.



BRANTLEY STARR
UNITED STATES DISTRICT JUDGE